

REMARKS

An Office Action dated October 23, 2003 rejects claims 1-17.

Reconsideration is respectfully requested in light of the following remarks:

Claim Objections

Applicant has corrected claims 10 and 13 as noted herein to overcome the objections noted by the examiner.

Claim Rejections Under 35 USC § 102(e)

Applicant respectfully traverses the examiner's rejection of claims 1-10 and 13-17 as being anticipated by U.S. Pre-Grant Publication No. 2003/0138685 to Jankowski et al. ("Jankowski"). Jankowski discloses a fundamentally different structure than as currently claimed in the present application.

Similar to prior art figures 1 and 2 of the present application and as best shown in figures 7 and 8 of Jankowski (reproduced below), Jankowski discloses a plurality of individual, non-elongate, chambers 220 formed within a substrate.

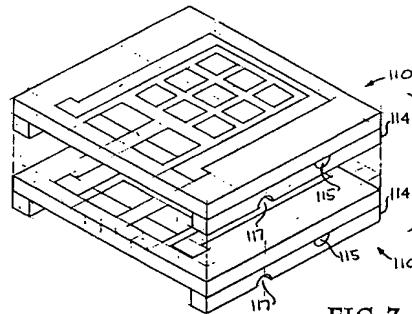


FIG. 7

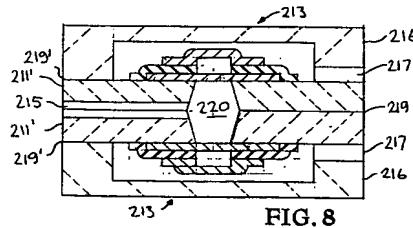


FIG. 8

FIGS. 7 & 8 of U.S. Pre-Grant Publication No. 2003/0138685 to Jankowski et al.

As explained more fully in the background section of the present application, while such individual chambers allow for the production of a limited amount of electricity, the amount of electricity produced within the substrate can be optimized by increasing the surface area of contact between the fuel and

adjacent electrode. Accordingly, in addition to the opening in the substrate for receiving fuel therein being elongate, the fuel-engaging electrode is also preferably elongate to interact with the fuel in the elongate chamber along the chamber's longitudinal length.

Jankowski neither teaches nor suggests such a structure. While Jankowski suggests that the fuel chamber could be a "channel" (See, paragraph 45 of Jankowski), it neither teaches nor suggests that such a channel define an elongate opening along a face surface of a substrate as claimed in the present application. Moreover, there is no teaching or suggestion that any electrolyte be elongated to operably engage the fuel along any such elongate opening in the substrate.

Turning to the claims, claim 1 specifically requires a "fuel chamber having an elongate opening along said face surface" of a substrate, and "an elongate electrolyte secured between an anode positioned adjacent to said fuel chamber." (emphasis added). Again, Jankowski neither teaches nor suggests such a structure. Accordingly, it cannot anticipate claim 1. Moreover, independent claim 14 includes similar limitations. Accordingly, claim 14 cannot be anticipated by Jankowski for the same reasons.

Since independent claims 1 and 14 are not anticipated by Jankowski, they should be allowable. Moreover, since dependent claims 2-10, 13, and 15-17 depend on one of these allowable claims, they too should also be condition for allowance.

Claim Rejections Under 35 USC § 103

Applicant respectfully traverses the examiner's rejection of claims 11 and 12 as being rendered obvious by Jankowski in view of U.S. Pat. No. 5,300,370 to Washington et al. ("Washington et al.").

Neither Jankowski nor Washington et al. teach or suggest the elongate openings or elongate electrolytes of claim 1, upon which claims 11 and 12 depend. Accordingly, these claims, which include these limitations and also further includes the limitations of placing them in fluid communication with each other, should also be allowable on these grounds.

In addition, while Washington et al. discloses a laminated fluid flow field assembly structure, neither it nor Jankowski, alone or in combination, teach or

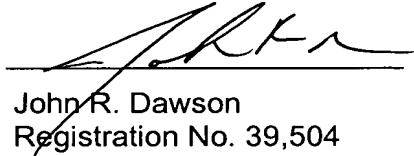
suggest placing a plurality of elongate fuel chambers in fluid communication with each other all within a common substrate.

In view of the foregoing, applicants submit that all of the currently pending claims are in condition for allowance, and respectfully request that this case be passed to issuance. If the Examiner has any questions, he is invited to contact applicants' attorney at the below-listed telephone number.

Respectfully submitted,

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By



John R. Dawson
Registration No. 39,504

ipsolon IIp
805 SW Broadway # 2740
Portland, Oregon 97205
Phone No. (503) 419-0702
Fax No. (503) 249-7068
E-Mail: john@ipsolon.com